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Jeyhan Karaoguz

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MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

EXAMINER

MENDOZA JR, JORGE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/675,439	Applicant(s) KARAOGUZ ET AL.	
	Examiner JORGE MENDOZA JR	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/03/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 April 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims **1-31** are presented for Examination.
2. Claims **1-22, 25, 27, & 29-31** have been amended.

Drawings

3. The drawings were received on 04/03/2008. These drawings are accepted.

Response to Arguments

4. Applicant's arguments with respect to Claims **1-31** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims **1-5, 7, 8, 10-15, 17, 18, 20-25, 27, 28, 30, & 31** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dureau (US Patent Application Publication No. 2003/0135860 A1)** in view of **Lu (US Patent No. 7,065,778 B1)**.

With respect to Claim 1, the claimed “*receiving a media file from a communication network at a first home in a first geographic location, said media file received from outside said first home*” is met by Dureau that discloses the use of a proxy receiver, 12, receiving media files from various sources of programming (Broadcast Station 16, Internet 60, Source 13, 18, & 19) via a transmission medium, 17, (satellite 23, cable 24, terrestrial 25) at a first location 50 at a given first geographic location (*Fig.1; Abstract; paragraph [0024], [0028], & [0033]*). The claimed “*determining within said first home, a first format of said received media file*” is met by Dureau that discloses the use of a proxy receiver, 12, in detecting the data that it is receiving at a first location 50- whereby the receiving device 12 may comprise such devices as a set-top box, a television, a video cassette recorder, a personal video recorder, a personal digital assistant, a personal computer, a video game console, or a mobile/cell phone (*Abstract; Fig.1; paragraph [0012], [0023], [0028], [0043], & [0047]*).

The claimed “*converting within said first home, said received media file from said first format to a second format compatible for one or both of presentation and/or playback on a television screen within a second home in a second geographic location*” is met in part by Dureau that discloses the converting of received data by a proxy receiver, 12, from a first format to a second format and the use of any number of receiving devices, 30A-N, including a television for the display of the transcoded data at the same geographic location (*Abstract; Figs.1,2&4; paragraphs [0012], [0028], & [0035-0037]*). The Dureau reference is silent with respect to the “*presentation and/or playback on a television screen within a second home in a second geographic location*”.

However, in the same field of endeavor, the Lu reference teaches the use of a personalized video recorder (PVR) in transmitting recorded media from a first geographic location to a second geographic location for viewing on display device 212 (*Abstract; Figs. 2-4; col.2, lines 25-28; col.6, lines 54-58; col.7, lines 47-53; col.9, lines -20-26; col.10, lines 10-15, 26-38; col.11, line 66 to col.12, line 2; col.13, lines 47-51; col.14, line 65 to col.15, line 2*). It would have been obvious to one skilled in the art, at the time of the invention, to have combined the Dureau reference with that of the Lu reference in order to allow transcoded data to be transferred from a first geographic location to a second geographic location. A person of ordinary skill in the art would have been motivated to make such a modification to the Dureau reference in order to ensure proper presentation and/or playback of transmitted data sent from a first geographic location to a second geographic location.

With respect to Claim **2**, the claimed "*comprising one or both of decoding and/or decrypting said received media file within said first home*" is met by Dureau that discloses the use of a proxy receiver, **12**, within a first location, **50**, in de-multiplexing a multiplexed data signal received via a digital satellite transmission to obtain a compressed television program and/or interactive applications in it (*Fig.4; paragraphs [0028] & [0036-0038]*).

With respect to Claim **3**, the claimed "*comprising transcoding said received media file within said first home from said first format to said second format*" is met by Dureau that discloses the transcoding of received data by a proxy receiver, **12**, from a first

format to a second format within a first location, **50** (*Abstract; Figs. 1, 2 & 4; paragraphs [0012], [0028], & [0035-0037]*).

With respect to Claim **4**, the claimed *"comprising directly transferring said converted media file to at least one media peripheral located within first home"* is met by Dureau that discloses the transferring of the transcoded data from the proxy receiver, **12**, to a number of receivers, **30_{A-N}**, which may be a set-top box (STB), a television (TV), a video cassette recorder (VCR), a personal video recorder (PVR), a personal digital assistant (PDA), a personal computer (PC) a video game console, and/or a mobile/cell phone (*Fig. 1, 3, & 4; paragraphs [0012], [0028], [0033], [0035], [0037], & [0044]*).

With respect to Claim **5**, the claimed *"comprising distributing said converted media file to one or both of a media peripheral within said first home and/or a media peripheral within a second home via one or both of a wired and/or a wireless connection"* is met by Dureau that discloses the use of a proxy receiver, **12**, in converting received data from one format to another and distributing converted data to a number of receivers, **30_{A-N}**, via a wired/wireless connection (*Abstract; Figs. 1 & 3; paragraphs [0033-0035] & [0037]*).

With respect to Claim **7**, the claimed *"comprising storing said converted media file in one or both of a network attached storage and/or a storage area network within one or both of the first home and/or a said second home"* is met by Dureau that discloses the use of a mass storage unit, **314**, in storing the transcoded content (*Fig. 5; paragraphs [0038], [0042] & [0043]*).

With respect to Claim **8**, the claimed *"comprising: retrieving said stored converted media file; and displaying on said television screen within said first home, said retrieved*

converted media file" is met by Dureau that discloses the storage of transcoded data in mass storage device, **314**, prior to transmission, such as format **530A** destined for television output (*Fig. 5; paragraph [0043]*).

With respect to Claim **10**, the claimed "*wherein said received media file is one or more of audio, video, image, graphical, and/or textual media file*" is met by Dureau that discloses the receiving of audio, video, still images, text, interactive graphics and applications by a receiver (**12**) that has the ability to transcode data from one format to a second format (*Figs. 1, 3, & 5; paragraphs [0004], [0005], [0010], [0038], & [0039]*).

Claim **11** is met as previously discussed with respect to Claim **1**.

Claim **12** is met as previously discussed with respect to Claim **2**.

Claim **13** is met as previously discussed with respect to Claim **3**.

Claim **14** is met as previously discussed with respect to Claim **4**.

Claim **15** is met as previously discussed with respect to Claim **5**.

Claim **17** is met as previously discussed with respect to Claim **7**.

Claim **18** is met as previously discussed with respect to Claim **8**.

Claim **20** is met as previously discussed with respect to Claim **10**.

Claim **21** is met as previously discussed with respect to Claim **1**. In addition, Dureau discloses control units (**302**, **502**) within the proxy receiver (**12**) and the transcode subsystem (**310**) responsible for receiving data, the detection of the data, and the transcoding of the data (*Fig. 1, 4, & 5; paragraphs [0038] & [0043]*).

Claim **22** is met as previously discussed with respect to Claim **2**.

Claim **23** is met as previously discussed with respect to Claim **3**.

Claim **24** is met as previously discussed with respect to Claim **4**.

Claim **25** is met as previously discussed with respect to Claim **5**.

Claim **27** is met as previously discussed with respect to Claim **7**.

Claim **28** is met as previously discussed with respect to Claim **8**.

Claim **30** is met as previously discussed with respect to Claim **10**.

With respect to Claim **31**, the claimed "*wherein said at least one processor is one or more of a media processing system processor, a media management system processor, a computer processor, a media exchange software processor and/or a media peripheral processor*" is met Dureau that discloses the use of control units (**302**, **502**) within the proxy receiver (**12**) and the transcode subsystem (**310**) responsible for receiving data, the detection of the data, and the transcoding of the data (*Fig. 1, 4, & 5; paragraphs [0038] & [0043]*).

7. Claims **6, 9, 16, 19, 26, & 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dureau (US Patent Application Publication No. 2003/0135860 A1)** in view of **Lu (US Patent No. 7,065,778 B1)** as applied to Claims **1-5, 7, 8, 10-15, 17, 18, 20-25, 27, 28, 30, & 31** above, and further in view of **Kaars (US Patent Application Publication No.2003/0066084 A1)**.

With respect to Claim **6**, the claimed "*comprising receiving authorization for said distributing of said converted media file to said at least one media peripheral within said second home*" is not explicitly taught by the Dureau reference in view of the Lu reference. However, in the same field of endeavor, the Kaars reference teaches a system in which a user can input, via a user interface (**116**), an indication of a particular playback device, in the form of a numeric code, that will received transcoded data, such as a PC (**142**), at a possible 2nd location, connected to a data transcoding device (**100**) via an internet connection (*Figs. 1 & 2; paragraphs [0015], [0025], [0028]*).

It would have been obvious to one skilled in the art, at the time of the invention, to have combined the system taught by the Dureau reference, in view of the Lu reference, with that of the system taught by the Kaars reference in order to increase the functionality and to allow a user the ability to authorized the transfer of transcoded data from a first location to a second location. A person of ordinary skill in the art would have been motivated to make such a modification to the Dureau reference in order to provide a user at a second location with media files that otherwise cannot be viewed.

With respect to Claim **9**, the claimed "*comprising storing said received media file prior to said converting in one or more of a network attached storage, a storage server and/or a storage area network located at said first home*" is met by the Kaars reference that teaches the storage of received data in storage device (**110**) prior to the transcoding of the data (*Figs. 1-3; paragraphs [0010], [0022], [0027]*).

Claim **16** is met as previously discussed with respect to Claim **6**.

Claim **19** is met as previously discussed with respect to Claim **9**.

Claim **26** is met as previously discussed with respect to Claim **6**.

Claim **29** is met as previously discussed with respect to Claim **9**.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2623

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jorge Mendoza Jr.** whose telephone number is (571) 270-5087. The examiner can normally be reached on Monday through Thursday 9:00 am –7:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Scott Beliveau** can be reached at (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/JORGE MENDOZA JR/
Examiner, Art Unit 2623**

**/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2623**